

LAW OFFICES  
**SIDEMAN & BANCROFT LLP**  
ONE EMBARCADERO CENTER, 22<sup>ND</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94111-3711

1 JAMES A. SHORE (State Bar No. 129083)  
E-Mail: *jshore@sideman.com*  
2 IAN K. BOYD (State Bar No. 191434)  
E-Mail: *iboyd@sideman.com*  
3 ANNA P. CHANG (State Bar No. 301468)  
E-Mail: *achang@sideman.com*  
4 SIDEMAN & BANCROFT LLP  
5 One Embarcadero Center, Twenty-Second Floor  
San Francisco, California 94111-3711  
6 Telephone: (415) 392-1960  
7 Facsimile: (415) 392-0827

8 Attorneys for Plaintiff  
9 OPERATING ENGINEERS LOCAL UNION NO. 3

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **OAKLAND DIVISION**

13  
14 OPERATING ENGINEERS LOCAL UNION  
15 NO. 3, an unincorporated association,

16 Plaintiff,

17 v.

18 SCOTT WILSON, an individual, MIRIAM  
19 WILSON, an individual, OFFICE SOLUTION  
20 TECHNOLOGIES, LLC, a Wyoming limited  
liability company, DENNIS KELSEY, an  
individual, RICHARD KORN, an individual,  
21 RAMY ENTERPRISES, LLC, a South  
Carolina limited liability company, RICARDO  
22 VALENCIA, an individual personally d/b/a  
TECHNICAL SOLUTIONS, and EUGENE  
23 ROMERO, an individual,

24 Defendants.  
25  
26  
27  
28

Case No. 4:18-cv-04989 KAW

**PLAINTIFF'S REQUEST FOR ENTRY  
OF DEFAULT AGAINST DEFENDANT  
OFFICE SOLUTION TECHNOLOGIES,  
LLC**

1 TO THE CLERK OF THE ABOVE-TITLED COURT:

2 Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff Operating  
 3 Engineers Local Union No. 3 (“OE3”) hereby requests that the Clerk of this Court enter a default  
 4 against Defendant Office Solution Technologies, LLC (“OST”) in this matter because OST has  
 5 failed to respond to OE3’s Complaint within the time prescribed by the Federal Rules of Civil  
 6 Procedure.

7 The deadline for OST to respond to OE3’s Complaint has passed. *See* Declaration of Anna  
 8 Chang (“Chang Decl.”) in Support of Plaintiff’s Request for Entry of Default, ¶ 5. OST, which is  
 9 located in Wyoming, registered to do business in California in 2014. *Id.* at ¶ 2, Ex. A. However,  
 10 OST subsequently forfeited its registration to do business in California prior to OE3’s filing of its  
 11 Complaint. *Id.* OE3 therefore served OST on Corporate Agents, LLC—OST’s agent for service  
 12 of process as reflected in OST’s Wyoming business registration—pursuant to Rule 4(h)(1)(A) of  
 13 the Federal Rules of Civil Procedure (authorizing service following state law in the state where  
 14 service occurs) and Rule 4(h)(2) of the Wyoming Rules of Civil Procedure (authorizing service of  
 15 process by delivery to the agent for service of process or by leaving a copy of the summons and  
 16 complaint at the usual place of business with any employee then in charge thereof) on August 17,  
 17 2018. *Id.* at ¶¶ 3–4; Dkt. No. 12. OST’s deadline to respond to OE3’s Complaint was September  
 18 7, 2018. *See* Fed. R. Civ. P. 12(a) (requiring a response to a complaint to be filed within 21 days  
 19 of service); Chang Decl., ¶ 5. As of the date of this request, OST has not answered, or responded  
 20 to, OE3’s Complaint. Chang Decl., ¶ 5. OST is not a minor or incompetent person. *Id.* Entry of  
 21 default against OST is therefore proper per Rule 55(a).

22 DATED: October 8, 2018

Respectfully submitted,

23 SIDEMAN & BANCROFT LLP

24  
 25 By: /s/ Anna P. Chang

Anna P. Chang

Attorneys for Plaintiff

OPERATING ENGINEERS LOCAL UNION NO.  
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